

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	No. 07 CR 840-1
)	
vs.)	The Honorable Susan E. Cox
)	
MARIO A. CARROLL)	

ORDER OF DETENTION PENDING TRIAL

This matter has come before the Court on the motion of the United States of America for a rule to show cause why defendant Mario A. Carroll's order of release should not be revoked, with the Court and parties having received and reviewed the reports prepared by the Pretrial Services Office, with the Court having held a hearing pursuant to Title, United States Code, Section 3148(b) to determine whether defendant has violated any condition of release and whether any there exists any condition or set of conditions will reasonably assure the appearance of defendant as required and the safety of the community, and with the Court having considering all of the factors set forth in Title 18, United States Code, Sections 3148(b) and 3142(g):

THE COURT HEREBY FINDS THAT:

1. There is clear and convincing evidence that defendant has violated the conditions of release set forth in the Order Setting Conditions of Released entered on December 20, 2007. Specifically, defendant has failed to submit to the methods of testing required by the Pretrial Services Office for determining whether defendant is using a prohibited substance and has failed to participate in a program of inpatient and outpatient substance abuse as instructed by the Pretrial Services Office.
2. There is probable cause to believe that defendant has committed a Federal, State, or local crime on release, namely, the possession and use of a controlled substance as demonstrated by the results of the drug testing performed by the Pretrial Services Office.

3. Based upon the factors set forth in Title 18, United States Code, Section 3142(g), including the history and characteristics of defendant showing a pattern of non-compliance while under court supervision in this matter and prior matters, there is no condition or combination of conditions of release that will assure that defendant will not flee or pose a danger to the safety of another person or the community. Furthermore, defendant is unlikely to abide by any condition or combination of condition of release.

IT IS HEREBY ORDERED, pursuant to Title 18, United States Code, Sections 3148 and 3142, that defendant Mario E. Carroll is remanded to the custody of the United States Marshal's Service for detention pending trial or until further order of the Court. During the period of pretrial detention, defendant shall be kept separate, to the maximum extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall also be afforded reasonable opportunity for private consultation with counsel.

ENTER:



SUSAN E. COX
United States Magistrate Judge

DATED: 9-2-08